

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

THIS DOCUMENT RELATES TO:

Track Three Cases

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

**DEFENDANTS' PROPOSED MODIFICATION TO
JURY INSTRUCTIONS REGARDING ATTORNEY QUESTIONS**

Defendants propose the attached modification to the jury instructions, for the reasons stated in CVS's motion to preclude the use in closing statements of "information" embedded in questions from counsel that lack any evidentiary support in the record. Dkt. 4137. In making this submission, Defendants are mindful of the Court's admonition not to raise objections the Court already has decided. Defendants preserve, and do not waive, those objections and any other objections they will put on the record before the delivery of the instructions.

Dated: November 9, 2021

Respectfully submitted,

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